



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/626,090	07/26/2000	Albert Henricus Franciscus de Heer	GDT1P003	8140

22434 7590 10/22/2003

BEYER WEAVER & THOMAS LLP
P.O. BOX 778
BERKELEY, CA 94704-0778

EXAMINER

POND, ROBERT M

ART UNIT	PAPER NUMBER
----------	--------------

3625

DATE MAILED: 10/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/626,090

Applicant(s)

FRANCISCUS DE HEER ET AL.

Examiner

Robert M. Pond

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) 6 and 8-13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1-13 are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2 and 3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election with traverse of Group I in Paper No. 4 is acknowledged.

The traversal is on the ground(s) that undue burden is not placed on the examiner. This is not found persuasive because restriction was based on the Applicant claiming patentably distinct inventions in a single application.

The requirement is still deemed proper and is therefore made FINAL.

Claims 6 and 8-13 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Specification

1. The abstract of the disclosure is objected to because it exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).
2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requires of this title.

3. Claims 1-5 and 7 are rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter.

The claims are directed to a process that does nothing more than manipulate an abstract idea. There is no practical application in the technological arts. For subject matter to be statutory, the claimed process must be limited to a practical application of the abstract idea or mathematical algorithm in the technological arts. See *In re Alappat* 33 F.3d at 1543, 31 USPQ2d at 1556-57 (quoting *Diamond V. Diehr*, 450 U.S. at 192, 209 USPQ at 10). A claim is limited to a practical application when the method, as claimed, produces a concrete, tangible and useful result: i.e. the method recites a step or act of producing something that is concrete, tangible and useful. See *AT&T v. Excel Communications Inc.*, 172 F.3d at 1358, 50 USPQ2d at 1452.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 4. Claims 1-5 and 7 are rejected under 35 USC 103(a) as being unpatentable over Multilingual Web Sites (a collection of articles cited in PTO-892, Items: U-X, hereafter referred to as MWS), in view of News Release (PTO-892, Item: UU), further in view of Provilus (patent number 5,740,425).**

MWS teaches trends in global selling over the Internet via various implementations of multilingual web sites featuring (see at least Item: U, pages 1-4; Item: V, pages 1-3; Item: W, pages 1-2; Item: X, pages 1-5):

- Sun Microsystems providing local language information for aftermarket products; North America, Europe, and Japan online visitors retrieving information online on products and services, and placing orders directly and securely in their native languages (Item: U, page 2),
- Automatic web page language translation (Item: U, page 2; Item: W, pages 1-2),
- Use of central database on marketing and product information to create online content, hard copy catalogs; tagging new product database

Art Unit: 3625

information for translation (e.g. human or software) into certain languages depending on which country the products will be made available (Item: U, page 3),

- AMP web site with online catalog designed to be multilingual to support global customer base, customers clicking a box to indicate language preference: English, French, German, Italian, Spanish, Japanese, Chinese or Korean (Item: V, page 1; Item: W, pages 1-2; Item: X, pages 3-4) (interpreted as transmitting product data to the user based on receiving a user language selection);
- AMP customers completing a registration form and searching for electrical devices alphabetically, by product picture, or by part number (Item: V, page 1),
- AMP customers controlling the direction of the product search using navigator technology called Step Search, a trademark of SAQQARA Systems (Item: V, page 2), and
- AMP user registering at the web site and receiving a customized catalog based on who the individual is (e.g. HP engineer); customer profile information used to produce customized online catalogs (e.g. General Electric, Millipore Corp., Rockport) (Item: X, page 2).

MWS teaches all the above as noted under the 103(a) rejection and teaches creating an online catalog for electrical devices, translating and storing

multilingual content in a database, a manufacturer electronically publishing its product catalog for a global customer base to help save time in searching for product information, and customer's searching for the manufacturer's product alphabetically, by part number, or by picture, but does not specifically disclose classes, categories, and attributes. New Release provides a teaching pertinent to interactive online cataloging featuring a searchable database by catalog number, reference number, selected manufacturer part characteristics, part name, category or classification, by formatted description, and material description attributes (Item: UU, pages 1-2). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of MWS to support product searches by class, category, and attribute as taught by News Release, in order to help customers save time in searching multilingual online catalog products, and thereby encourage customers to use the online catalog.

MWS and News Release teach all the above as noted under the 103(a) and teach creating online content for multilingual catalogs, but do not disclose capturing product data for multilingual catalogs. Provilus teaches publishing an online catalog for electrical devices and manufacturers having a need to deliver product information electronically to customers. Provilus teaches a specification and data structure, glossary for vocabulary, and phrases in any language (see at least Fig. 2; Fig. 7-9; Fig. 25; col. 3, lines 9-54; col. 5, line 66 through col. 7, line 28; col. 13, line 25 through col. 14, line 23). Provilus further teaches capturing product information for the online catalog (see at least abstract; Fig. 25 col. 17,

Art Unit: 3625

lines 23-33). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to disclose capturing data for an electronic catalog as taught by Provilus, in order to support the creation of a multilingual catalog.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- US 5,715,444 (Danish et al.) 03 February 1998; teach system and method of guided parametric searching on AMP Inc. web site.
- Cox, John; CommunicationsWeek, "Scheme Aims to Help Info Seekers," 04 April 1994; teaches online catalog, category,

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Mr. Robert M. Pond** whose telephone number is 703-605-4253. The examiner can normally be reached Monday-Friday, 8:30AM-5:30PM Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Ms. Wynn Coggins** can be reached on 703-308-1344.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **703-308-1113**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

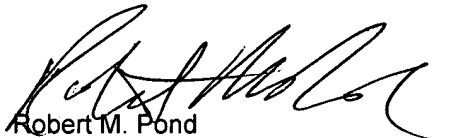
Washington D.C. 20231

or faxed to:

703-872-9306 (Official communications; including After Final

communications labeled "Box AF")

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.



Robert M. Pond
Patent Examiner
October 17, 2003